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Security Council

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Letter dated 21 May 2014 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

I have the honour to forward to you a letter from Najib Ghadbian, Special Representative of the Syrian Coalition to the United Nations, dated 20 May 2014, conveying the Syrian Coalition's full support for a referral of the situation in the Syrian Arab Republic to the International Criminal Court, and urging members of the Security Council to act without delay to refer the situation in Syria to the Prosecutor of the International Criminal Court.

I should be grateful if you would circulate the letter as a document of the Security Council.

(*Signed*) Karel J. G. van **Oosterom**

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Annex to the letter dated 21 May 2014 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

On behalf of the people of Syria and the National Coalition of Syrian Revolution and Opposition Forces (Syrian Coalition), I am writing to you today to convey the Syrian Coalition's full support for a referral of the situation in the Syrian Arab Republic to the International Criminal Court, and to urge members of the Council to act without delay to refer the situation in Syria to the Prosecutor of the International Criminal Court.

Since the start of the Syrian revolution in March 2011, more than 162,000 Syrian lives have been lost as a result of the Syrian regime's brutal campaign of oppression. Throughout the past three years, hundreds of thousands more have been injured, tortured and subjected to sexual violence by regime personnel and regime-affiliated militias. According to the Secretary-General, as well as the Office of the United Nations High Commissioner for Human Rights, the independent international commission of inquiry and the Under-Secretary-General and Emergency Relief Coordinator, many of these acts constitute war crimes, and some reach the threshold of crimes against humanity. There is every indication that many of the most heinous acts committed by Syrian armed forces have received the approval, and indeed the complicity, of the highest level of government, including Syria's Head of State (see, for example, A/HRC/25/65).

Despite the grave and worsening situation in Syria, the people of Syria have yet to see justice rendered. Instead, a culture of impunity has given rise to a new and ever more heinous set of war crimes inflicted by Syrian regime forces, including chemical weapons, barrel bombs and cluster munitions strategically deployed in residential areas to maximize civilian casualties. Indeed, due to the regime's onslaught on civilian areas, approximately half of the Syrian population of 22 million people has been forced to flee Syria or has been internally displaced.

So long as the Syrian regime does not believe there is a price to be paid for gross and systematic crimes of war, the atrocities in Syria will worsen. It is therefore vital that the Security Council heed its own calls for an end to impunity and reaffirm that those who have committed or are otherwise responsible for human rights violations and abuses in Syria are brought to justice, as demanded by the Security Council in resolutions 2139 (2014) and 2118 (2013), both adopted by consensus. For justice to be served, the Security Council must act without delay to refer the situation in Syria to the Prosecutor of the International Criminal Court.

The Syrian Coalition has itself repeatedly reiterated its support for international human rights and humanitarian law, and we stand committed to ensuring full accountability for all war crimes, irrespective of their perpetrators. That is why we adopted the Declaration of Commitment on Compliance with International Humanitarian Law and the Facilitation of Humanitarian Assistance in March 2014, and why we have repeatedly urged the Security Council and Member States to support a referral to the International Criminal Court.

Impunity has cast a long shadow over Syria and has done nothing to stop the violence which is now pervasive. Those who commit crimes of war must be assured that their brutality will not go unpunished. The Syrian people demand justice, and they look to the Security Council to help fulfil it.

(*Signed*) Najib **Ghadbian**
Special Representative of the Syrian Coalition to the United Nations